

Notice of Allowability

Application No.

10/796,125

Examiner

Juan A. Torres

Applicant(s)

THOMAS, MICHAEL ANDRIES

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Supplemental Response or Supplemental Amendment filed on 06/22/2007.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Specification

The modifications to the specification were received on 06/22/2007. These modifications are accepted by the Examiner.

In view of the amendment filed on 06/22/2007, the Examiner withdraws specification objections of the previous Office action.

Claim Objections

The modifications to the claims were received on 06/22/2007. These modifications are accepted by the Examiner.

In view of the amendment filed on 06/22/2007, the Examiner withdraws claim objections to claims 1-9 of the previous Office action.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David J. Cushing on 6/22/2007.

The application has been amended as follows:

a) In line 1 of claim 2, the recitation "A transceiver unit according to claim 0, characterized" is changed to "A transceiver unit according to claim 1, characterized" (emphasis added).

b) In line 1 of claim 3, the recitation "A transceiver unit according to claim 0, characterized" is changed to "A transceiver unit according to claim 2, characterized" (emphasis added).

c) In line 1 of claim 4, the recitation "A transceiver unit according to claim 0, characterized" is changed to "A transceiver unit according to claim 2, characterized" (emphasis added).

d) In line 1 of claim 5, the recitation "A transceiver unit according to claim 0, characterized" is changed to "A transceiver unit according to claim 1, characterized" (emphasis added).

e) In line 1 of claim 6, the recitation "A transceiver unit according to claim 0, characterized" is changed to "A transceiver unit according to claim 1, characterized" (emphasis added).

f) In line 1 of claim 7, the recitation "A transceiver unit according to claim 0, characterized" is changed to "A transceiver unit according to claim 1, characterized" (emphasis added).

g) In line 1 of claim 8, the recitation "A transceiver unit according to claim 0, characterized" is changed to "A transceiver unit according to claim 2, characterized" (emphasis added).

h) In line 1 of claim 9, the recitation "A transceiver unit according to claim 0, characterized" is changed to "A transceiver unit according to claim 2, characterized" (emphasis added).

Allowable Subject Matter

Claims 1-9 are allowed if the above objections are overcome.

The following is an examiner's statement of reasons for allowance: claims 1-9 are allowed because the references cited fail to teach, as applicant has, a transceiver unit comprising a receiver unit adapted to detect from a physical medium a first downstream handshake initiation signal and a first upstream handshake initiation signal, a transmitter unit adapted to transmit over the physical medium a second upstream handshake initiation signal, and a self identification module adapted to identify the transceiver unit as a central unit or as a remote unit, characterized in that the self identification module is coupled to the receiver unit and the transmitter unit, and is further adapted to: wait for detection of any of the first downstream handshake initiation signal and the first upstream handshake initiation signal within a first time interval, request the transmitter unit to transmit the second upstream handshake initiation signal if none of the first downstream handshake initiation signal and the first upstream handshake initiation signal is detected within the first time interval, and wait for detection of the first downstream handshake initiation signal within a second time interval, identify the transceiver unit as a remote unit upon detection of the first downstream handshake initiation signal within the first time interval or within the second time interval, identify the transceiver unit as a central unit upon detection of the first upstream handshake initiation signal within the first time interval, as the applicant has claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juan A. Torres whose telephone number is 571-272-3119. The examiner can normally be reached on 8-6 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Juan Alberto Torres
06-22-2007

TEMESGHEN GHEBREHINSAE
PRIMARY EXAMINER